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*Attorneys for Debtors and Reorganized Debtors*

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

**In re:**

**PG&E CORPORATION,**

**- and -**

**PACIFIC GAS AND ELECTRIC  
COMPANY,**

**Debtors.**

- ☐ Affects PG&E Corporation  
☐ Affects Pacific Gas and Electric Company  
☒ Affects both Debtors

*\* All papers shall be filed in the Lead Case, No.  
19-30088 (DM).*

Bankruptcy Case No. 19-30088 (DM)

Chapter 11

(Lead Case) (Jointly Administered)

**DECLARATION OF STEVEN A. LAMB IN  
SUPPORT OF *EX PARTE* APPLICATION  
PURSUANT TO LOCAL BANKRUPTCY  
RULE 9006-1(C) FOR AN ORDER  
MODIFYING DATES AND DEADLINES  
REGARDING OBJECTION TO CLAIM OF  
AMIR SHAHMIRZA AND KOMIR, INC.**

**[Related to Dkt. Nos. 12130, 13920, 13921]**

1 I, Steven A. Lamb, declare as follows:

2 1. I am an attorney with the law firm of Rovens Lamb LLP and am one of the attorneys  
3 representing the Reorganized Debtors and am counsel of record on behalf of the Reorganized Debtors  
4 in *Amir Shahmirza and Komir, Inc. v. PG&E Corporation*, San Mateo Superior Court Case 18CIV06064,  
5 filed November 9, 2018. The facts set forth herein are true of my own personal knowledge, and if called  
6 upon to testify thereto, I could and would competently do so under oath.

7 2. I make this Declaration in support of the Reorganized Debtors' *Ex Parte Application*  
8 *Pursuant to Local Bankruptcy Rule 9006-1(c) for an Order Modifying Dates and Deadlines Regarding*  
9 *Objection to Claim of Amir Shahmirza and Komir, Inc.* (the "Application").<sup>1</sup>

10 3. On September 29, 2023, I contacted Shahmirza's counsel and requested that Shahmirza  
11 agree to continue the current schedule by 60-90 days. In furtherance of this request, I have had several  
12 discussions with Shahmirza's counsel. This included discussions regarding mediation and we discussed  
13 and agreed on engaging Bradley Bening as a mediator and discussed potential mediation dates. On  
14 October 5, 2023, Shahmirza's counsel informed me that Shahmirza would not agree to the requested  
15 continuance. On October 9, 2023, I informed Shahmirza's counsel that the Reorganized Debtors would  
16 file an *ex parte* application to request the continuance set forth herein.

17 4. Although the Parties have tentatively agreed on Bradley Bening as the mediator, we never  
18 agreed on a date for the mediation.<sup>2</sup> Mr. Bening had advised the Parties that he is not available to mediate  
19 this matter in the month of December. Mr. Bening previously advised the Parties that his available dates  
20 for mediation of this matter were November 30, 2023, or sometime in January 2024.

21 5. I informed Shahmirza's counsel that the Reorganized Debtors are offering to pay the fee  
22 for the mediation and that there would be no cost to Shahmirza for the mediator if Shahmirza agrees to  
23 a 60-90 day continuance to allow for the mediation to proceed by their chosen mediator's schedule.  
24 Shahmirza's counsel noted that the mediation would likely take more than one day. Additionally, while  
25 the Parties have conducted a site survey of the property with an appraiser, I anticipate that the mediator

26 <sup>1</sup> Capitalized terms used but not defined herein shall have the meaning ascribed to them in the  
27 Application.

28 <sup>2</sup> Mr. Bening has extensive expertise in complex construction, real estate and business litigation  
matters.

will likely ask for a session that would include a site survey so the Mediator can fully appreciate the nature and qualities of the Komir property. The earliest date Shahmirza's counsel could schedule the site survey for the appraiser was September 22, 2023. The site survey took about two hours and was completed on September 22, 2023. Because counsel for Shahmirza has not agreed to the requested continuance, I was not able to reserve the November 30, 2023, date with Mr. Bening and now he is no longer available. Mr. Bening has available dates for mediation in January 2024.

6. The Reorganized Debtors have agreed to every prior request by Shahmirza for a continuance of scheduling pretrial matters.

7. The Reorganized Debtors' proposed revised dates and deadlines are as follows:

Current Date	Event	Proposed Date
October 6, 2023	Written Discovery Completion Deadline	October 6, 2023 (no change)
October 12, 2023	Deposition of Amir Shahmirza and Komir, Inc.	October 12, 2023 (no change)
October 15, 2023	Percipient Witness Deposition Deadline	October 15, 2023 (no change)
October 20, 2023	Reorganized Debtors' Deadline to Respond to Second MSJ	January 22, 2024
November 17, 2023	Deadline for Shahmirza to file Reply	February 12, 2024
November 18, 2023	Deadline to Exchange Expert Reports	November 18, 2023 (no change)
December 19, 2023 (Per Dkt. No. 13935)	Hearing on Second MSJ	Week of March 19, 2024, subject to the Court's calendar
TBD	Further Status Conference to set trial and pre-trial matters	TBD (no change)
December 31, 2023	Deadline to complete expert depositions	December 31, 2023 (no change)
Late Jan. or early Feb. 2024 (subject to agreement by Parties or court approval)	TRIAL	Early April 2024 or thereafter, subject to the Court's calendar

8. The current dates and deadlines do not allow adequate time to:

- a. Complete percipient discovery and obtain a transcript from the court reporter in order to respond to the Second MSJ, if necessary;
- b. Complete expert reports, exchange expert reports, and complete expert discovery;
- c. Conduct a mediation according to Mr. Bening's schedule;
- d. Allow the Reorganized Debtors to evaluate whether the Reorganized Debtors should file a separate action in state court for eminent domain. Based on the

1 Court's prior ruling on the first summary judgment motion, the Reorganized  
2 Debtors are considering filing an eminent domain action in State Court, in order  
3 to resolve the issue of the easement for the continued rights to keep and maintain  
4 the overhead transmission lines over the Komir Property once and for all, and  
5 ensure that any determined taking of property is awarded just compensation. Such  
6 an action would have the potential to moot the second motion for summary  
7 judgment. But, in order to proceed on this path, Reorganized Debtors must first  
8 secure an appraisal, provide a statutory offer to the landowner, and then, after a  
9 fixed period, would it be able to proceed with the condemnation action. After  
10 meaningful consideration of this Court's prior ruling, Debtor has retained an  
11 expert to conduct the appraisal that is essential to the evaluation.

12 I declare under penalty of perjury under the laws of the United States that the foregoing is true  
13 and correct. Executed this tenth day of October 2023 at Torrance, California.

14 By: /s/ Steven A. Lamb

15 Steven A. Lamb  
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